

EXECUTIVE SUMMARY

Missouri Department of Mental Health

1706 E. Elm Street, P.O. Box 687

Conference Room B

Jefferson City, MO 65102

Mental Health Commission Meeting

February 6, 2007

PRESENT

John Constantino, MD, Chair

George Gladis, Secretary

Mary Lou Bussabarger

Beth Viviano

Phillip McClendon

STAFF

Keith Schafer, Department Director

Lynn Carter, Deputy Director

Mark Stringer, Division Director, ADA

Dora Cole, Interim Division Director, CPS

Bernie Simons, Division Director, MRDD

Diane McFarland, Coordinator/Chair Transformation Grant

Patty Henry, Budget Administrator

Mary Tansey, General Counsel

Joseph Parks, Medical Director

Bob Bax, Legislative Liaison/Public Affairs Director

Monica Hoy, Assistant to the Director

Audrey Hancock, Director's Office

GUESTS

Tim Swinfard, MO CMHC

Clive Woodward, DOP

Benton Goon, DMH Transformation Grant

Jerry Zafft, Family Member

Gina Luebbring, OA Budget & Planning

Margy Mangini, Licensure and Certification (MH)

Susan Pritchard-Green, MO Planning Council

Diane Riley, for Bill Shoehigh

Greg Kramer, Life Skills

Felix Vincenz, Interim Director, Facility Operations

Jan Heckemeyer, Deputy Director of Administration

Karen Adams, CEO, Southern Region, CPS

Judy Alexander, Emmaus

Barbara Griffith

Wendy Buehler, Life Skills, St. Louis

Barry Critchfield, DMH, Deaf Services

Dirk Cable, DMH Housing

Liz Hager-Mace, ADA

Leigh Gibson, Consumer Affairs

Marilyn Nolan, MARF

Rich Germinder, Sen. Lager's Office

Leigh Gibson, Consumer Affairs

Kathy Meath, St. Louis ARC

Rosie Anderson-Harper, CPS

Becky Blackwell, Judevine

Joe Yancey, Division of CPS

Patsy Carter, DO

Robin Rust, MRDD

GUESTS (continued)

Jeff Grosvenor, MRDD
Kay Green, MRDD
Dottie Mullikin, DOP
Marsha Buckner, ADA
Sandy Wise, MRDD
Connie Cahalan, DO
Bob Bussabarger, Columbia
Gary Lyndaker, IT
Virginia Selleck, CPS
Richard Mesquias, Eli Lilly
Diane Mack, Blue Springs
Debbie McBaine, ADA
Lois Thomas, Public Affairs
Pam Leyhe, DO
Barb Keehn, ADA
Mary Fangman, OFO
Marsha Buckner, ADA
Rick Gowdy, CPS
Julia Kaufmann, MRDD
Vicki Epple, DMH Transformation
Tec Chapman, MRDD
Becky Carson, CPS
Gus Epple, Investigations
Ron Nicholson
Rhonda Haake, IT
Patrick Murphy, OHR
Ron Nicholson

TOPIC/ISSUE	DISCUSSION
CALL TO ORDER	John Constantino, Chair, called the meeting of the Missouri Mental Health Commission to order at 8:05 a.m. on Tuesday, February 6, 2007. The meeting was held at the Department of Mental Health, 1706 E. Elm Street, Conference Room B, Jefferson City.
INTRODUCTIONS	John Constantino announced that Donna Lacy has accepted a position with Office of Public Affairs. The Commission thanks her for her years of service and wishes her well in her new role with DMH. Introductions were made.
APPROVAL OF MINUTES	Phillip McClendon moved that the January 11, 2007, Mental Health Commission Minutes be approved. George Gladis seconded the motion and the Minutes were approved.
OPEN DISCUSSION	Mary Lou Bussabarger noted the Bellefontaine Habilitation Center monthly bulletin which spoke to the issue of their closing and the difficult times they are experiencing. Keith met with Bellefontaine Parents Board and Rep. Gina Walsh. Bernie Simons noted Recommendation #11 of the Lt. Governor’s Review which states that DMH should have Hab Centers “as long as they are necessary.” Bernie has set up a workgroup of parents from the Hab Centers, parents from the community, self advocates, providers, and key stakeholders to determine the function, need and options. A report from Recommendation #24 is due May 1.
DIRECTOR’S REPORT	Keith expressed his appreciation for Jerry Zafft attending and noted his former service on the Commission. He and Joe Parks met with Senator Charlie Shields and others interested in issues of Medicaid Reform and MO HealthNet. DMH continues to struggle with complicated issues of abuse/neglect. Work continues on Leadership Team development. The Executive Team is preparing for budget hearings. Dr. Constantino will testify regarding Senate Bill 3 which will address consumer safety. Keith discussed his vision of the Commission in the area of advocacy and helping resolve and give input into tough policy issues. Keith outlined the format of the meeting agenda and encouraged detailed discussion by the Commissioners.
CONSUMER SAFETY DISCUSSION	Deputy Department Director Lynn Carter reviewed a handout— <i>Investing in Consumer Safety</i> and discussed the process to gather input regarding priorities among the many recommendations made by the Commission and the Lt. Governor’s Mental Health Task Force related to consumer safety. Lynn reported that some identified activities are already underway such as: <ul style="list-style-type: none"> ▪ Separating internal authority for investigations and legal counsel in DMH. ▪ Incidents not impacting consumer safety will be handled administratively through disciplinary procedures.

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	<ul style="list-style-type: none"> ▪ Reporting deaths to law enforcement and medical examiner. ▪ Review and necessary revision of the MOU with Protection & Advocacy. <p>The Mental Health Commission and others in attendance discussed prioritization of the recommendation using a worksheet to rate the items in terms of impact and cost/complexity. The Executive Team will review the information from the discussion to establish prioritized work plans. Further discussion will take place at the next Commission Meeting regarding the plan.</p> <p>Benton Goon introduced himself and explained his role with the Office of Transformation at DMH. He provided a handout, <i>Data Analytic Support for Investment in Consumer Safety</i>. He identified <i>Consumer Safety Metric Domains</i> and corresponding <i>Categories of Metrics</i> for which DMH is currently collecting data. After discussion, it was suggested that some categories of metrics be added: Tracking Training, Active Treatment Hours, Adherence, Type of Living Arrangement and analysis of DMH consumer deaths. The need to access useful data compiled by other agencies was also identified as a strategy to maximize cost/benefit of data systems.</p>
FIRE SAFETY DISCUSSION	<p>As a result of issues raised by the MH Commission related to fire safety, information about sprinkler status in RCF settings was presented in a handout.</p> <p>Discussion centered on:</p> <ul style="list-style-type: none"> ▪ Should DMH immediately recommend sprinkler systems in RCFs to DHSS? ▪ How will DMH address the increased costs associated with the installation of sprinkler systems? ▪ Will requiring RCFs to invest in sprinkler systems result in a long-term reliance on residential care facility placements? <p>The Commission discussed whether DMH should consider a policy that would prohibit placements of non-ambulatory consumers in non sprinklered facilities. The Commission asked that DMH prepare an impact statement within 30 days. Beth Viviano made a formal motion to prohibit placement of any nonambulatory person in a nonsprinklered facility. John Constantino seconded Beth's motion. There was no discussion and Beth's motion passed.</p> <p>George Gladis made a motion that the Commission fully support the Governor's recommendations regarding sprinklers in all facilities where DMH consumers reside. He amended his motion to state that the Commission supports the Governor's recommendation to place sprinklers in all facilities. Mary Lou seconded.</p> <p>John Constantino made a motion to amend Beth's motion to state that the Commission support the Governor's</p>

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	<p>recommendation for sprinklers systems, but in the absence of additional funding to support that the Commission recommends to the DMH a graduated approach to achieving that goal. Beth seconded and call made for discussion. After discussion, the amended motion passed.</p>
<p>MRDD SEXUAL OFFENDER DISCUSSION</p>	<p>Felix Vincenz distributed a handout outlining the article in the Post-Dispatch regarding Governor Blunt's order for the DMH to begin telling parents and guardians of mentally retarded residents under its supervision when it places a convicted sex offender in their midst. The handout outlined and Felix explained some of the issues involved in compliance with this directive. Felix noted the need for balance among competing imperatives:</p> <ul style="list-style-type: none"> ▪ To be honest and as open with families and consumers ▪ To honor our obligations to guard Protected Health Information ▪ To minimize the potential for stigma ▪ To know where to draw the line regarding "dangerous" behavior <p>Felix introduced the workgroup who worked on this issue: Becky Carson, Rikki Wright, Joe Yancey, Tec Chapman, Rick Gowdy. Decisions already made regarding notice:</p> <ul style="list-style-type: none"> ▪ Will provide notice for individuals who are required by law to register ▪ Notice WILL be provided in settings where consumers live = congregate community settings, habilitation centers and long-term psychiatric hospitals ▪ Will NOT provide notice for individuals in acute care settings ▪ Will NOT provide notice for individuals who were adjudicated before 1995 <p>Choice Points for Notice:</p> <ul style="list-style-type: none"> ▪ What about the Incompetent to Stand Trial? <p>It was agreed that specific notification regarding Incompetent to Stand Trial clients was to be avoided. However, the Commission recommended consideration of a "Universal Precautions" approach, in which consumers and family members were generally apprised of the likelihood of consumers with risky behaviors of various sorts and how the facility responded in a general fashion to mitigate risk.</p> <ul style="list-style-type: none"> ▪ What Choices are Consumers and Families afforded after receiving notice?

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	<p>1) In Community Settings? 2) In Inpatient Settings?</p> <p>Rich Germinder was introduced, Aide to Senator Brad Lager who is working on legislation on this issue and seeks input from this group.</p>
ADJOURN	<p>The Mental Health Commission adjourned at 12:45 p.m.</p> <hr/> <p>John Constantino, Chair</p>